

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MINNESOTA LIFE INSURANCE	)	Case No. 8:09-cv-22
COMPANY	)	
400 North Robert Street	)	
St. Paul, Minnesota 55101,	)	
	)	
Interpleader Plaintiff,	)	
	)	
vs.	)	
	)	
NINA G. ATKINSON; MENDEL B. MILLER;	)	
MINDY R. HANSEN; MERRIS B. MILLER;	)	
and MARCY R. WOITA,	)	
	)	
Defendants.	)	

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

This matter comes before the Court on the Stipulation for Dismissal of the Counterclaim of Interpleader Plaintiff, Minnesota Life Insurance Company ("Minnesota Life") and Defendants Mendel B. Miller, Mindy R. Hansen, Merris B. Miller and Marcy R. Woita ("Millers").

The Court, being duly advised to the premises, finds that the Stipulation should be accepted and that the Millers' Counterclaim against Minnesota Life should be dismissed without prejudice. Accordingly, the Millers' Counterclaim against Minnesota Life is dismissed without prejudice.

IT IS SO ORDERED.

DATED this 21<sup>st</sup> day of July, 2009.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Court Judge